

## Important Information Identified In Revised ICWA Guidelines February 25, 2015

### & Potential Areas of Concern



- Application of ICWA procedures at the earliest possible stage-even when child is not removed from the home, enables Tribes to intervene as early as possible
- Agencies and State courts must treat child as Indian, until it is proven they are not
- Notice procedures expanded-registered mail & electronically
- Emergency removal only to prevent imminent physical damage or harm and as short as possible
- Timeframe for temporary emergency custody should not be continued for more than 30 days unless certain procedures followed to prevent imminent physical damage or harm
- Right to transfer at any stage
- Enforcement of ICWA placement preferences
- Explains compliance with active efforts to prevent breakup of Indian family-good social service practices discussed, e.g. engaging family, assessment, family interaction, identifying community resources
- Reiterates compliance in voluntary placements-consent cannot be given until 10 days after birth
- Adds information about protecting adults who have been adopted and seek information on how to reconnect with their Tribes.
- These are guidelines and not regulations. Proposed regulations will incorporate some of these requirements in regulations, if finalized.

